

**Exhibit C**

**Further Explanations of Administrator's Funding Decision**

**Issued to Morehouse, Richland and Webster**

**Undated (postmark October 13, 2006?)**

Further Explanation of Administrator's Funding Decision

Form 471 Application Number: 291953

Funding Request Numbers: 817045, 817085, 817658, 817708, 817992, 818088

Funding Year 2002 (07/01/2002 – 06/30/2003)

Under separate cover, you are being sent a Funding Commitment Decision Letter concerning the FCC Form 471 Application Number cited above. This Funding Commitment Decision Letter denies the Funding Request Numbers (FRNs).

**Please be advised that the Funding Commitment Decision Letter is the official action on this application by the Universal Service Administrative Company (USAC). Please refer to that letter for instructions regarding how to appeal the Administrator's decision, if you wish to do so.** The purpose of this letter is to provide you with additional information concerning the reasons for denial of these funding requests.

The Federal Communications Commission (FCC or Commission) granted the appeal of USAC's denial of the FRN cited above and remanded the funding requests to USAC for further review.<sup>1</sup> The FCC directed USAC to "conduct further investigation and analysis prior to denying funding for suspected competitive bidding violations . . . and to provide applicants with an opportunity to demonstrate that they did not violate the Commission's competitive bidding rules." The Commission set forth its competitive bidding rules as follows:

Under the schools and libraries universal service support mechanism, eligible schools, libraries, and consortia that include eligible schools and libraries, apply for discounts for eligible telecommunications services, Internet access, and internal connections.<sup>2</sup> The applicant, after developing a technology plan, files the FCC Form 470 ("Form 470") with the Administrator to request discounted services.<sup>3</sup> The Form 470 is posted on USAC's website for at least 28 days, during which time interested service providers may submit bids to provide the requested services.<sup>4</sup> The applicant must consider all submitted bids prior to entering into a contract; price must be the primary factor in selecting a bid.<sup>5</sup> Under the Commission's competitive bidding

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<sup>3</sup> If the technology plan has not been approved when the applicant files the Form 470, the applicant must certify that it understands that the technology plan must be approved prior to commencement of service. 47 C.F.R. § 54.504(b)(2)(vii).

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rules, the service provider may not participate in the bidding process.<sup>6</sup> After entering into a contract for eligible services, the applicant files the FCC Form 471 ("Form 471").<sup>7</sup> USAC assigns a funding request number ("FRN") to each request for discounted services, and issues funding commitment decision letters ("FCDLs") approving or denying the requests for discounted services.

In this remand, the Commission concluded that "USAC denied the requests for funding without sufficiently determining that the service providers improperly participated in the applicants' bidding process."<sup>8</sup> The Commission stated that "there are many legitimate reasons why applicants could have used similar language in their applications . . ."<sup>9</sup> As part of USAC's review of the applications, the Commission suggested that USAC "request that applicants submit documentation establishing the source of the language that is similar to that found in other applications."<sup>10</sup> With respect to situations where due to the passage of time, such evidence may no longer be available, the Commission directed USAC to "look at the totality of the circumstances, including an explanation as to why the evidence may no longer be available. On a going-forward basis, we expect that applicants will have better documentation to support their applications."<sup>11</sup>

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**Your response does not explain why your FCC Form 470 Summary of Needs or Services Requested is similar to those of other applicants who selected the same service provider. Furthermore, you allowed Send Technologies to mail in your FCC Form 470 certification page during the competitive bidding process. Since you have**

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**not explained why the documents are similar, and since you allowed Send Technologies to mail in your FCC Form 470 certification page during the competitive bidding process, you have not demonstrated that you did not allow your service provider to participate in the competitive bidding process. Therefore, the FRNs cited above have been denied.**

Further Explanation of Administrator's Funding Decision  
Form 471 Application Numbers: 301743, 360815, 409404  
Funding Request Numbers: 782233, 819080, 819270, 819319, 819485, 819629, 819783,  
819884, 820088, 976694, 1122380  
Funding Years 2002 (07/01/2002 – 06/30/2003), 2003 (07/01/2003 – 06/30/2004), and  
2004 (07/01/2004 – 06/30/2005)

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In this remand, the Commission concluded that "USAC denied the requests for funding without sufficiently determining that the service providers improperly participated in the applicants' bidding process."<sup>8</sup> The Commission stated that "there are many legitimate reasons why applicants could have used similar language in their applications . . ."<sup>9</sup> As part of USAC's review of the applications, the Commission suggested that USAC "request that applicants submit documentation establishing the source of the language that is similar to that found in other applications."<sup>10</sup> With respect to situations where due to the passage of time, such evidence may no longer be available, the Commission directed USAC to "look at the totality of the circumstances, including an explanation as to why the evidence may no longer be available. On a going-forward basis, we expect that applicants will have better documentation to support their applications."<sup>11</sup>

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Further Explanation of Administrator's Funding Decision

Form 471 Application Numbers: 301743, 360815, 409404

Funding Request Numbers: 782233, 819080, 819270, 819319, 819485, 819629, 819783, 819884, 820088, 976694, 1122380

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Funding Request Number: 987500  
Funding Year 2003 (07/01/2003 – 06/30/2004)

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